Public Health Division

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November 4, 2026 - MCAP Psilocybin Rules Advisory Committee Meeting Transcript

- 13:01:06 Good afternoon, everyone, and welcome back. Today is November 4th, 2026, and this is the second of 2 Rules Advisory committees.
- 13:01:21 for the medical cannabis and psilocybin section, psilocybin rulemaking.
- 13:01:27 Thank you again for coming back and joining us.
- 13:01:32 We are being recorded, and we are being transcribed as well.
- 13:01:38 Um, for the recording, this is Jesse Sweet, OHA Policy Analyst.
- 13:01:44 And we have a full agenda today. As a reminder, we're.

- 13:01:49 are going to... Cover the remaining rules in the first hour of the meeting.
- 13:01:54 And then we will use the second hour of the meeting to cover the fiscal impact statement.
- 13:02:01 We left off at. 4310 service center temporary events at the last meeting, and I believe.
- 13:02:11 We still have some comments that we were not able to get to when we reached time.
- 13:02:17 So if we are ready to go, Emily, I think you can share your screen and we can begin the conversation on 4310.
- 13:02:40 Did it share? Yep. Okay, good.
- 13:02:42 It is sharing, yes. You may want to bump up the text size a little bit.
- 13:02:48 Yes.
- 13:02:51 Thank you.
- 13:03:07 Okay. There we go. All right. Okay, good. Sam.
- 13:03:09 Thank you. That looks great.
- 13:03:14 Yeah, I just wanted to, um, say a little bit because of the elections yesterday in terms of.
- 13:03:23 Redmond, Joseph, and Reedsport voted to continue establishing a band on psilocybin businesses in their community. And so I think we're in this spot where.
- 13:03:37 There's a lot of work that still needs to be done to reduce the stigma around this, and you know, 4,300, 4310.
- 13:03:49 4400... I'll kind of restrict the things that can be happening at service centers. And so doing everything that we can.
- 13:04:01 to make it a place just like any other commercial business would be incredibly helpful in terms of not only reducing stigma, but helping the service centers that are already.
- 13:04:18 uh, struggling to make money, particularly in the fact that.
- 13:04:22 The only thing that they can make money on is the services that that they're doing, but they're excellent locations to do lots of other things, and to have.
- 13:04:33 Other businesses co-located, like... Various forms of therapy.

- 13:04:43 Thank you.
- 13:04:49 Amy.
- 13:04:50 Hi, uh, good afternoon, everyone. Nice to see you all again. I wanted to loop back on something that Jesse said the other day about the 21 and up factor. I looked into it a little bit. I'm a little confused about the common around it being a statutory regulation.
- 13:05:06 restaurants and things that are also licensed to serve alcohol. They just have strict rules about, um, you know, obviously, uh, where within the restaurant, as an example, sitting at the bar, where, uh, folks under 21 can't sit, but the rest of the venue is accessible to those under 21. So given these are going to be separate events where.
- 13:05:25 No product is going to be out in the open, no product is going to be available. These are locked and put away, etc. I just want to push back on that from what I could find in relationship to the 21 and up thing, just to expand access, um, uh, for, uh, people that are under 21 to be able to participate in some of the events, like a yoga class or something like that, that is going to be.
- 13:05:46 at these locations to ensure to Sam's point, that we can make this as equitable as possible, and the revenue earning potential wider for these centers as they're already struggling to make ends meet.
- 13:06:02 I want to just very briefly provide a citation. But, you know, we're not really here to talk about the statutes. We're talking about the implementation and the rules, but the prohibition against persons under 21 years of age at a premises is found in.
- 13:06:18 ORS475A.495. Um, because you referenced liquor law, I would just note very briefly that the statutes are quite different on liquor law and.
- 13:06:30 liquor licenses receive minor postings based on the type of businesses that that they operate.
- 13:06:37 And I see that, Gary, you have a. a common myth as well.
- 13:06:41 Yeah, I just I just think all of these issues somewhat overlap.
- 13:06:49 you know, from, uh, the taking out of service that we're talking about now to, yeah, you know, Amy's point of the under 21 and is that, you know, statute or is that regulation?

- 13:07:03 And then also, I think that falls right into the subletting. And, you know, the fact that there's several bills out there about dual licensure and allowing other facilities to do.
- 13:07:20 you know, therapy sessions, um, that I think we need to, you know, look at that subletting and it does kind of cross over with.
- 13:07:32 this conversation of taking out of service, you know, can we do yoga services, mental health counseling on premise? It seems to be in line with the treatments we're already doing.
- 13:07:47 And some things that are coming down the pipeline that other people are promoting in bills, and is the subletting, um, you know, is that statute, or is that regulation? I believe that's regulation. Anyhow, that's a couple questions I had.
- 13:08:08 Point.
- 13:08:16 Thank you.
- 13:08:27 You have a lot to get through this afternoon. But I feel like there maybe was one or 2 other hands up when we ended on Monday. So I just want to make sure to.
- 13:08:38 have enough space here before we move on.
- 13:08:46 Maria.
- 13:08:49 I am still getting set up here a little. Um, yeah, my hand was raised at the end the last time.
- 13:08:55 Of just bringing attention or inquiry into Lisa Snyder's comment about how there are certain conditions where folks who are under the age of 21 are able to enter the space whenever psilocybin.
- 13:09:11 Sessions aren't being actively administered. And as an opportunity to broaden the access and the options for people to use it outside of that scope. I know we're not here to talk about.
- 13:09:26 Statues and what have you, but I do feel like that... One is relevant. Here, and could be interpreted to be applied and allow for a more broad access point.
- 13:09:42 Thank you.
- 13:09:56 All right. Should we move to the next?
- 13:10:03 licensed premises operating requirements.
- 13:10:03 with the... Thank you. And this may be the simplest rule that we have to review today, because in section 7, if you would scroll down,

you'll see it's just an adjusted reference, because we moved things around in the previous 2 rules.

- 13:10:23 So this rule is only open today to adjust that cross reference.
- 13:10:30 And next we have. 4450 client administration areas.
- 13:10:37 And we see something similar in this rule in Section 4. We are just correcting or revising the form and manner language to specify a form published on OHA's website.
- 13:10:57 Next, 4470 practicum site.
- 13:11:01 A similar edit here in 4470. We are changing the form and the manner and language in sections 2 and 3.
- 13:11:12 Lisa.
- 13:11:14 There's just a clarification question, since practicum rules have been reviewed.
- 13:11:21 The last call in general. I'm wondering if you can clarify, since the rules are being updated around Colorado's facilitator training standards, um, and Oregon accepting trainings.
- 13:11:35 from Colorado, does that also mean that Colorado, uh.
- 13:11:39 practicums done in Colorado with Oregon approved training programs and Colorado approved training programs would qualify for approval of a practicum for Oregon.
- 13:11:56 That's a question.
- 13:12:01 So I cannot answer that question right now, but I have documented it in the notes, and and we'll look into that.
- 13:12:08 Okay, thank you.
- 13:12:19 Hey, if we are ready to move on to 44 ad. Oh, I'm sorry, Gary, our.
- 13:12:25 Is that in advance of 4480, or did you have more?
- 13:12:29 No, actually, it's I'm trying to. I had this on my phone, and I linked into this call, um, but I can't find it on my computer to actually be able to read the drafts.
- 13:12:43 Was there a reminder sent out for this meeting?
- 13:12:49 As there was for the one on Monday, um, I'm trying to search so I can call in on my computer, but it's not showing up.

- 13:12:56 Oh, yeah, you know, I didn't send another email with the materials, but you should be able to find that previous email I sent on Monday, or it's also posted on our website, the administrative administrative rules and rulemaking process website. If you scroll down.
- 13:13:15 to the RAC meetings, you should be able to find the documents there.
- 13:13:16 I can. Okay, thank you.
- 13:13:21 Yeah.
- 13:13:21 and I believe the documents are also attached to your outlook invite. If you have access to that.
- 13:13:27 Yeah, that's the problem. I'm finding that on my phone, but not my computer, so I can barely read it, but I think I can follow along. Thank you. I won't take up any more time.
- 13:13:36 Okay. So if we're ready to go to 4480.
- 13:13:43 We have several changes here in 4480, beginning in section 10, which states that service centers may not remove products from client packaging.
- 13:13:54 Except for products that will be destroyed and designated as waste.
- 13:13:59 This was is a clarification. It was always implied that is the section's view as a reminder.
- 13:14:12 childproof packaging is not required for psilocybin products. And we have separate rule sections in 50 50 and 5070, which allow a client to request a client support person if they are unable to open packaging by themselves.
- 13:14:29 Section 12 covers the issues related to unregulated consumption of psilocybin products and scheduling clients to consume at unlicensed locations.
- 13:14:41 To the extent that folks have additional comments that were not covered when we addressed similar subject matter.
- 13:14:49 in the prior meeting, we would welcome those comments, but we would ask that if you.
- 13:14:55 Would just like to stand on your prior comments that you say that briefly rather than repeating the entirety of your comments.

- 13:15:02 I'm gonna run through all these sections here, and then we'll open it up for for the questions and and the feedback.
- 13:15:11 Section 14 clarifies that service centers must take reasonable steps to ensure that areas they control do not present safety risk. So this would include things like parking lots, for example.
- 13:15:25 15 is duplication of what exists in statute. It states that service centers may refuse to provide products to clients for any reason. And then we also added that this does not excuse a service center from complying with applicable federal, state, and local non-discrimination laws.
- 13:15:46 So we'll take your feedback at this time.
- 13:15:50 Mike.
- 13:15:51 Um, you may or may not be able to answer this, but with the... Number 12 there.
- 13:16:01 Any location within Oregon where it is unlawful to do so.
- 13:16:07 How would a, um, a church, would that be considered unlawful? I mean, if it's if it's federally legal.
- 13:16:18 It would not be considered unlawful, I would assume.
- 13:16:21 So it's a matter of interpretation. I don't know if you can provide any clarification to that.
- 13:16:28 Um, so that there's more certainty.
- 13:16:34 And then...
- 13:16:34 I'm not able to provide clarification right now, but I've noted your your comment.
- 13:16:39 For the record.
- 13:16:41 Okay, and as long as I had the mic, I'll look at 15 as well.
- 13:16:48 Um... These rules do not excuse a service center from complying with applicable federal, state, and local non-discrimination laws.
- 13:16:58 I'll hold my comment for for another section. Thank you.
- 13:17:03 Thank you. Amy.
- 13:17:07 Just on number 12, and I don't know if it needs to say for number 11 also or not. I'm just trying to read this quickly. But the 5 plus

minute comment that I gave on Monday stands here also, so I'll save everyone from rereading it. But I just want to emphasize again.

- 13:17:25 Those comments from Monday.
- 13:17:29 Thank you.
- 13:17:57 All right. Oh, Josh.
- 13:17:59 Uh, yeah, just clarifying question on 10. Is that referring to a facilitator or someone help, like, opening the package, or is that just referred... is that just about transferring for repackaging?
- 13:18:16 So for clarification, the provision in 10 would apply to both opening a package on behalf of a client and transferring for repackaging.
- 13:18:26 So 10 is intended to be a blanket prohibition on opening sealed packages for any reason except to.
- 13:18:36 to destroy the package and designate it as waste.
- 13:18:40 What is the intention behind that? Are you aware?
- 13:18:48 So the the rules from their inception have always been designed such that the product is transferred to a client in sealed packaging, and the client opens that packaging themselves.
- 13:19:01 And again, we have a provision in 50-50 and 5070 under client support persons, where if a client is unable to open the package themselves or otherwise needs, uh... Assistance with consumption, then that is something that is covered in a preparation session and a client support person can be brought in to to assist with opening and consuming the products.
- 13:19:26 Um, I... I personally don't agree with that. I just want to make that known, that that seems, um... unnecessary.
- 13:19:38 Um, to have to do that, that if... Someone needs assistance in opening them. I don't understand what the... But the problem would be with that.
- 13:19:50 just seems like it overcomplicates and makes it... It seems unnecessary.
- 13:19:55 Thank you.
- 13:19:58 Lisa.
- 13:20:00 Okay, a few things with this, I'm glad we're revisiting this and talking about it. One, I read this as service center may not remove the

the product. I don't see it as opening the product. It doesn't say opening the product.

- 13:20:15 And there are people who struggle. They don't anticipate their struggle with the packaging, but when they, especially with the dosing, when they are on psilocybin, they often have a very hard time opening packages.
- 13:20:31 So I'm not sure exactly what the the official answer should be around this. But like, who could open the package if they want to consume it, and the client physically wasn't anticipating struggling with it. But it's it's hard when you're.
- 13:20:49 When you're on psilocybin to do things with your hands at times. I also think that bringing in a client support person, like taking them out of work, stopping them from being able to like do the things in their life or whatever to come open a package. It just seems really.
- 13:21:06 too much. Thank you.
- 13:21:10 Thank you. Amy.
- 13:21:14 This is something that I've been raising my voice about even since last RAC, um, that it's these rules aren't reasonable. We're having individuals go through the licensing process, you know, facilitators go through schools, we have dual... not only a license, but a permit to handle the product.
- 13:21:30 This act is done in front of the client, so the product is transferred to the client. We're in the room with them, and there's multiple parties present, not only the service center worker, the facilitator, and the client, but there's lots of reasons besides a physical disability that someone might need help opening a product.
- 13:21:48 A tricky packaging, the stickers too tight. They're sobbing and really emotional. This is their first time. They don't know what they're doing, etc, etc. And nobody is saying, take the product out of the package, out of the presence of the person that's purchased it. This is in front of them together in.
- 13:22:06 a collective audience of people who have a permit, background checks, training, and licensure to handle and touch the product. And we're not actually touching the product, we're just physically helping them in a realistic scenario when they're about to do this. And this extends beyond where I'll also continue to give feedback that.

- 13:22:23 Pouring hot water into a bowl, adding lemon, whatever it is that the client needs support with during this very emotional time for a lot of people who are doing this, who have never done it before, we get lots of feedback from clients during this moment alone where they'll state, I would anticipate the people with the licenses and permits and the education to do this would be the ones doing it.
- 13:22:43 So I disagree with this at all being included, and if it's going to be, there should be at least an exception for in front of the client in the presence of the client to assist them during their time of need. Thank you.
- 13:22:56 Thank you. Gary.
- 13:23:01 Totally agree with the comments that have already been made. I think this is a perfect example of.
- 13:23:07 over-regulation and overcomplication of the process. To Lisa and Amy's point, it's, you know, extremely difficult, whether you're under the influence of psilocybin or not.
- 13:23:23 Um, for somebody who's never, you know, dealt with this packaging, who's never dealt with prep.
- 13:23:32 of the product for consumption, um, there's totally qualified people there that can help them, um, through the process and make it easier. So yeah, I think this just needs to go away. I totally understand.
- 13:23:50 you know, that we can't repackage something from a manufacturer that has test results on it and put it in different packaging. Makes sense. As far as giving to the client, um.
- 13:24:03 Yeah, this total overkill. Thank you.
- 13:24:08 Thank you. Mariah.
- 13:24:16 I agree with others who have spoken before me. I think that this is a bit discriminatory, and a lot of people do have issues opening up the packages.
- 13:24:30 And it's also hard sometimes to plan in advance because there are.
- 13:24:39 manufacturers that are often changing the type of packages that they offer, and so maybe a facilitator is anticipating a certain way, and then they show up, and the manufacturer is changed. And so then the client is unprepared and unable.

- 13:24:55 And I understand what I think is like the thesis of this and being... not wanting products to be tampered with. And so I think that honoring the sealed package, making sure that the seal... the seal is not broken outside of the view of the client. I think there is a way where this could be rewritten.
- 13:25:18 To obtain that objective and still maintain accessibility. And so I think this is actually a pretty big one that should be addressed and that I would anticipate a lot of people bringing commentary to during the public comment sessions.
- 13:25:39 Thank you. Josh.
- 13:25:43 Hi, I know I already spoke on this, but um... I'm wondering what... what problem this one is addressing, because if it's a lack of trust in facilitators, then we have a significant issue, that if we're not being trusted to open a package.
- 13:25:59 What... what does that say about the trust in the people that the state is licensing? You know, I think about going to a doctor's office, and the doctor says, here, open this, and if you can't open it, sorry. Like, what problem are we addressing?
- 13:26:16 In this in this number 10.
- 13:26:20 Thank you, Amy.
- 13:26:24 Sorry. One thing I I meant to say this whole time that I forgot on this topic. I just want to express a realistic scenario that happens also that a lot of the people making these rules don't know because they're not in the facilities. So when we have the whole fruit product and the clients have to grind it up for easier consumption, and that's their choice.
- 13:26:43 If there's other sessions going on in the building, now everybody's hearing grinders and stuff going. We could easily prepare these products for consumption prior to client sessions in quiet environments and things, but these types of rules are creating scenarios that are distracting for everybody else also.
- 13:27:04 So it's really important that we're thinking about the whole facility, the client experience, and the fact that our individuals have the licenses and permits to handle these products. But thinking through the lens of the actual experience for the individual.
- 13:27:22 Thank you, Gary.

- 13:27:25 Yeah, one thing I forgot to mention, and you know you did mention that you can have the client support person, as other people pointed out, they don't always know they're going to have an issue. And it's not just people with disabilities and so forth. I mean.
- 13:27:41 You know, everybody can have issues with this if they are not used to taking the product out of packaging, and to Amy's point, grinding up whole fruit. Yeah, I... and to Josh's point, you know, you have qualified, trained, licensed people in there, and if you can't trust them to do it, then there's a bigger problem.
- 13:28:05 Then opening a package. So yeah, I think this needs to...
- 13:28:14 Thank you, Anne.
- 13:28:19 So I agree with what's already been said, but I also think separating the two issues of like repackaging, which I think that's its own saying and probably repackaging shouldn't happen, but assisting a participant or a client is something that.
- 13:28:35 is is a very normal thing to do, and I have perfectly, you know, capable hands, but I wasn't able to open a package, you know, like, in a psilocybin... after I had to, like, I could open a booster package. Um, and even, like, navigating it and, like, opening it, it just wasn't possible, so I think it just... this is something we should just kind of... like, separate, like, assisting somebody in front of them versus like the repackaging issue. They're just separate issues, right? So maybe just adding, you know, space for that to be distinguished, and it should just be assisting them. Like, you're assisting them in the bathroom, you're assisting them with getting them tissues. It's not different.
- 13:29:09 Especially if it's in front of them, so that's my... that's my thought.
- 13:29:15 So we've heard a lot of comments on Section 10 of the rule here, and I've recorded them all for the notes in the interest of time. I want to see if we're ready to move on to 4520, which is client rights and responsibilities.
- 13:29:34 So we have something unusual happening with the format here. We received guidance from Secretary of State, which is the body that formats and publishes all of the final rules.
- 13:29:47 that they did not like the way that this rule was organized. You'll see all that strikethrough text on the page.

- 13:29:55 That is not actually being removed. It is being moved on to an attachment because that is the way that the Secretary of State wants us to handle these rules when we have text that is not numbered.
- 13:30:07 So you'll see this in this rule and in a later rule as well. So, Emily, if you are able to bring up.
- 13:30:15 that separate document as a screen share. It's probably easier to work off of that document. There it is. Thank you very much. And this was also for reference included as a separate document in.
- 13:30:29 in the invitation, in the meeting materials. So you'll see the edits here at the top. These are client responsibilities which are being added to the existing client bill of rights.
- 13:30:41 Um, and I would like to call the group's attention to some of the points which use the language to make best efforts to refrain. In this language was inserted because.
- 13:30:55 We recognize that things might come up while clients are experiencing psilocybin, and they may inadvertently.
- 13:31:04 You know, do some of this activity which we are asking them to make best efforts to refrain from engaging in.
- 13:31:11 So we'll, uh, we'll take your feedback now.
- 13:31:19 Maria.
- 13:31:24 I was actually pretty delighted to see this transition to rights and responsibilities. Of course, I want the client to have rights, and for them to know it. But this brings into.
- 13:31:40 mind, like, maybe a harder conversation than it is to have directly with your client of, like, asking them to not make offensive comments on race, or this or this or that. And so it brings it into their attention, and it's like, oh, I don't just have this like.
- 13:31:56 free card to be an totally inappropriate, sorry for my language. Um, but, you know, people do really inappropriate things, and I've been in a room when people were doing really inappropriate things, and so I'm really grateful for this, because I think it brings into.
- 13:32:14 attention, care for the facilitators, the service center, the service center representatives, and the client. And so I think that this switch to rights and responsibilities is really refreshing, and I welcome it.
- 13:32:31 Thank you. Mike.

- 13:32:37 Um, I think that this is, you know, it's linked to the informed consent form as well, because there's there's cross references there.
- 13:32:46 I understand that, at least on the consent form, you're acknowledging that you understand your client rights.
- 13:32:54 But there isn't any kind of corresponding thing regarding responsibilities. I mean, these are responsibilities.
- 13:33:02 But there's no acknowledgement of the responsibilities on the consent form that I could find. So there's only a corresponding.
- 13:33:13 acknowledgement regarding the rights, but not the responsibilities. And I don't... I don't know how you could enforce that with a client in any case, but it just seems that both of them should be cross-referenced in the consent form. Thank you.
- 13:33:28 Thank you. Amy.
- 13:33:31 When we spoke about this last rock, while I'm a big fan of, you know, soberly accepting these sorts of things with our clients, just a reality here of someone being under the influence. People come from all walks of life and backgrounds, and, um, you know, if they do have a.
- 13:33:49 I'm just, you know, picking something for demonstration purposes here. Uh, sexual nature of a conversation, or something race-related, or whatever, and that's transpiring for them in their ceremony, in their session, and it's completely out of their control. This is just how they're expressing what's coming up for them.
- 13:34:04 from trauma or life experience or whatever, there's just no way as a facilitator, I'm going to interrupt that process for them and shame them or degrade them or anything. You know, people have all kinds of things. So, while I do like the theory of this, just the practical application of it for people who are in process, I think we're, what are we going to do? Interrupt this session?
- 13:34:28 Stop the session? Like, how would you like this to actually be held accountable? I think is one thing, because somebody can agree to it fully when they're sober. And by the way, like, as a normal sober person, they're... they would never. But then they go into the session, and they might have, like, something sexual transpire for them.
- 13:34:45 And that's coming from, like, a deep-seated, deep-rooted trauma wound that they have around sex or whatever's going on. And I would just advocate that there's a reason that they're going through

these services, um, and that there needs to be some reality to how we're viewing the actual practical application of this in session.

- 13:35:05 I would like to just say very briefly that as a regulatory agency, we have no authority to regulate client conduct. So you know, this is really just.
- 13:35:19 a tool to help to set expectations and to help further understanding between clients and facilitators.
- 13:35:28 Thanks, Jesse. Lisa.
- 13:35:33 Wanted to say that I really like the addition of the responsibilities part is a two-way street is a relationship with the client. And I know that with the other rack, some of the language is different than it is here. I I do appreciate.
- 13:35:47 The wording on to make best efforts. I think that that's an offering. And then I think the other things that we as facilitators can do is have a conversation that's, you know, if we feel like, okay, these rules are going into effect, and these are in.
- 13:36:04 In motion here, we can say, Hey, me as a facilitator with you as my client, you're welcome to express yourself however you want, regardless of this client and responsibilities. Thing. This is just for our relationship. So you get to set the container with the.
- 13:36:20 with the client. And I think that that's an opportunity to do that.
- 13:36:24 Thanks.
- 13:36:26 Thanks, Mercy.
- 13:36:30 Yeah, I agree with that. My... I really like the first few. It's really just the one about disrupting other clients' participation. And I think we talked about this last time, that so many of our clients are worried they're not doing the journey correctly, and I worry that this language makes them think like, oh, is my behavior disruptive? Am I allowed to speak out at all if there's someone in the next room? So I just wanted to kind of echo what Lisa was.
- 13:36:55 just saying, I think that's a really important opportunity for facilitators to talk about, like, what that might look like. Like, we're just talking about not like running around and screaming, you know, like something like that. But I do hesitate with that, that one about disrupting other clients' participation, just because.

- 13:37:11 I worry it could negatively impact their own journey because of how concerned they already are about things like that, uh, in our experience.
- 13:37:21 Thank you. Mariah.
- 13:37:27 Yeah, I think of it as an opportunity to start a conversation and it not to be if you do any of these things, you'll be penalized, or you've done it wrong. It just like opens.
- 13:37:41 A conversation to say, hey, what would you like to do if this came up and how and like, I'm not trying to shame you, I'm not trying to stop your experience, but, you know, sometimes people get really loud, or sometimes people scream.
- 13:37:56 If you were screaming, do you think screaming in a pillow might be something that felt good for you, where you could still get it out and still express, but also bring a sense of safety and regulation to the house. And so.
- 13:38:12 I think this is a really good starting point, a conversation starter. And I think that make best efforts to refrain from is like a gentle way of like, Hey, can we be decent humans here?
- 13:38:27 And also, we recognize that maybe you just ate a lot of mushrooms.
- 13:38:32 And it's gonna be okay, and we'll figure it out. But I don't read this as like telling people how they're... how they have to behave like like rigid.
- 13:38:47 Thank you, Mike.
- 13:38:50 Uh, did you want to take comments on the entire document of client rights and responsibilities at this point?
- 13:38:57 Yes, let's do it.
- 13:38:58 Okay, uh, I'd like to go down to the one about, um... Further down, uh, I've got it highlighted on mine. Let's see.
- 13:39:09 Uh...
- 13:39:15 Yeah, let me look at my document. It has to do with the piece on.
- 13:39:21 To access service centers and psilocybin services that are welcoming and accessible to people with disabilities.
- 13:39:33 Uh, and I guess my question is towards the towards the end.

- 13:39:39 There are.
- 13:39:49 I'm not seeing that on yours.
- 13:40:04 Again.
- 13:40:04 Oh.
- 13:39:56 So this this may be a provision that was not being proposed for change. So it's probably not popping out as a red line. I can give a little context on this. This original client bill of rights was informed by recommendations from the Oregon psilocybin Advisory Board during the development period.
- 13:40:16 And this piece was important for the board and recommended for inclusion. But it's not intended to supersede the Ada or independent disabilities law. It doesn't have the force of law. It's.
- 13:40:34 kind of an advisory statement. and I'm not sure if that's where you were going with this, Mike. But that that's the the background.
- 13:40:38 Yeah.
- 13:40:43 Well, I see it isn't... it isn't highlighted as something to be considered here. I just... I'm... I don't think it's correct. I mean, I don't think the current program can provide that right, provides that right. Uh, I mean, there are handicapped people.
- 13:41:02 Or people with certain disabilities that cannot access the services. And so, if you're saying that the program is providing that right, that's not correct at this point.
- 13:41:17 And there are, you know, obviously there's there's the the Cusker lawsuit challenging that.
- 13:41:23 Um, but how can you assert that you're providing this right and it's... and it's not correct? That's the problem that I have with that, with that particular phrase, that statement.
- 13:41:36 Thank you. We've got your input on that one.
- 13:41:38 Thank you.
- 13:41:47 right? In the interest of time, are we ready to move on to 44? Excuse me, 4640.
- 13:41:54 I got dyslexic with my. Numbers there for a second.
- 13:42:00 and this is. This is a form and manner edit. I'll give Emily a second. Yeah, there we have it on the page. It's form and manner. It looks like we're doing a little bit more than Foreman manner, but

actually we've just reordered the clause that every client clause is moved from the back of the sentence forward.

- 13:42:32 Okay, so if we're ready to move on to 4650.
- 13:42:38 We have a form and manner edit, and we also have some substantive edits in 5 and 6.
- 13:42:47 So 5 and 6 have to do with compliance with the rule and.
- 13:42:53 violations being charged for failure of multiple cameras. and over multiple days. So 5 clarifies that.
- 13:43:06 Each camera that is out or not present. or excuse me, I transposed the sections. 5 is about the days. Each day is a separate violation, and 6 is about the cameras.
- 13:43:20 Each camera failure could be considered a separate violation.
- 13:43:29 Lisa.
- 13:43:32 I just wanted to say that there are times where... technology or the company that runs the cameras has their own weird things that are completely under the control of the service center.
- 13:43:49 Um, and so I don't know... I don't think it's fair if that is the case and it can be documented even by the tech company that it was they were offline or they were having technical issues that the service center should be penalized or fined.
- 13:44:07 Thank you. Amy.
- 13:44:10 I agree with that. Just advocating for service centers here. There needs to be some sort of grace period allowance for them to document that there's a failure or whatever's going on, what timeline are we talking about here? Because there are glitches, electronic failures, power outages, there's all kinds of things that can go wrong that are completely out of the control of the service center.
- 13:44:35 Agree with the points already made and it seems a little punitive.
- 13:44:33 Gary.
- 13:44:41 Thank you.
- 13:44:43 Thanks.
- 13:44:50 Maria.

- 13:44:51 I think just adding something that took into account what the others before me had said, like, I understand not wanting there to be footage missing or people withholding and understanding the intent.
- 13:45:08 to, you know, make someone not want to do that by fines and regulation. But having an additional part about like beyond normal circumstances, or what have you, to allow for.
- 13:45:21 circumstances outside of their control.
- 13:45:26 Thank you.
- 13:45:32 moving on to oh, sorry, Gary.
- 13:45:35 Uh, to Mariah's point, I believe that, you know, OLCC with cannabis has a process that if your cameras are out because of technical difficulties, that there's a process to.
- 13:45:50 Report and remedy that. So I think that would be a good idea.
- 13:45:56 Okay.
- 13:46:07 Okay.
- 13:46:06 Yeah, on the next rule, we just have a reference because we reordered the sections in the and 5,200. So at the very bottom there's an adjusted cross reference.
- 13:46:20 and in 4,700 duty to contact emergency services. It's another form and manner.
- 13:46:28 where we're specifying that they are to use the form published on the website.
- 13:46:37 and we also have Foreman manner edits in 4810.
- 13:46:42 There's a foreman manner edit in Section 4. as well as a form and manner edit in section 7.
- 13:47:01 Mariah.
- 13:47:02 I will just say that I appreciate the clarity. I remember reading through these and being like, Foreman manner, what does that mean? So having a form that's easily identified and able to fill out and share with you makes this process a lot easier. So thank you.
- 13:47:21 Thank you. Hey, so we have.
- 13:47:26 kind of... I'm going to move us through these form and manners pretty quickly, so if anybody needs to slow me down, please

raise your hand. But we have more form and manner and 4900, as well as the deletion of an obsolete date.

- 13:47:41 in 49, 10. This is legislation that implements House Bill 4040.
- 13:47:50 This is legislation in 2026, which requires average doses to be reported differently. And you'll see that reflected in 4C and 4D, where there's going to be two average doses that are reported, values that are reported beginning in 2027.
- 13:48:08 The first value is for doses over 5 milligrams, and the second value is for doses equal or less to 5 milligrams, and this is just lining up with the statute.
- 13:48:35 Okay, on 49 30. We have removed an obsolete date in section 2.
- 13:48:45 And we are clarifying that failure to submit the required information.
- 13:48:50 failure to submit the form which which does have an opt out.
- 13:48:57 it can result in an application being closed as incomplete.
- 13:49:02 Gary.
- 13:49:06 I'm not a big fan of the whole Sb. 303 reporting. I think it's quite intrusive.
- 13:49:15 In these times. Um, but the biggest problem, I think, with it is the upload system does not work. And I'm not... I'm really baffled on how we can enforce and fine.
- 13:49:31 Service centers when it's a system breakdown. And there's been a bit of that going on from what I understand. So I think we really need to take a look at at that.
- 13:49:46 And this whole reporting platform and process.
- 13:49:53 Thank you.
- 13:50:04 Okay, if we are ready to move on to 5,000 in section one. There's a very small edit, but it is consequential. This edit.
- 13:50:17 Removes the requirement that prep sessions are held 24 h prior to an admin session.
- 13:50:25 Um, which would allow operational flexibility in scheduling for service centers.

- 13:50:32 Also, some other edits we have added a decimal points to numerical figures, and you're going to see that throughout some of these rules. This aligns with the way that ORLAP expresses these numerical figures.
- 13:50:45 and I believe that those are the only substantive edits to this rule. We have a form and manner in there as well.
- 13:50:55 Marcy.
- 13:50:56 I just wanted to support the removal of the 24-hour minimum requirement.
- 13:51:03 Thank you. Gary.
- 13:51:05 Me too. I'm. Excited to see that go away. That is a move in the right direction. Thank you.
- 13:51:25 Okay, if we are ready to move on to informed consent, I think we will be able to look at the issue that Mike brought up in his prior comments.
- 13:51:37 And this is another one due to Secretary of State's formatting requirements. We're going to need to pull up the separate attachment to look at this text. Thank you, Emily.
- 13:51:50 So this is really just a conforming edit. Where we do in the first item there, amend to say that it is the client rights and responsibilities that is reviewed rather than the.
- 13:52:08 Client Bill of Rights. and I believe that is the only.
- 13:52:15 edit in this section.
- 13:52:19 We've also removed a sentence at the very top for readability.
- 13:52:24 It was the sentence really wasn't doing anything.
- 13:52:33 Do we have any comments on informed consent?
- 13:52:52 Mike.
- 13:52:54 Um, so again, this is, uh, I'm looking at cross references back to rights and responsibilities.
- 13:53:03 and um... One of the proposed changes in that towards the very end.
- 13:53:11 of rights and responsibilities. The second to last paragraph.
- 13:53:17 It says that facilitators and service centers must comply with applicable federal, state.

- 13:53:24 and local non-discrimination laws. So I guess a question there is.
- 13:53:34 Um... So you're kind of looking at the program is is needs to comply with state, federal anti-discrimination laws, but also the service centers.
- 13:53:48 And I guess I'm just wondering about the liability of a service center.
- 13:53:54 that, um... does not make... provisions for working with certain clients that contact them.
- 13:54:05 Who, uh, may have disabilities or may be in a situation.
- 13:54:11 where they cannot access their services. Are they also liable for a violation of Ada, or.
- 13:54:20 Where is the response? The question is, is kind of where is the responsibility? Is it with the program and the regulations? Is it with the service center trying to comply with the regulations?
- 13:54:34 I think there's some ambiguity there. Thank you.
- 13:54:40 it. And you know, it's difficult really to answer that question. It's going to be a case by case situation, and in some cases the appropriate remedy may be civil litigation that does not involve the agency.
- 13:54:57 Thank you for your comments.
- 13:55:11 Okay, are we ready to go to 50 50 client information form.
- 13:55:21 And this is a foreman manner edit.
- 13:55:34 in. 50, 70. We have a form and manner edit.
- 13:55:40 And we also have an edit that lines up with 3070 at the very bottom of the rule, which is section 10 C. So we've discussed this in 3070 and we received your feedback on.
- 13:55:59 permitting practicum students to act as client support persons. The proposed rules would prohibit that, and and we did hear feedback on that on Monday.
- 13:56:08 But if anyone has additional feedback or different feedback, we can take that at this time.
- 13:56:21 Right.

- 13:56:21 I guess just I'm trying to recall our previous conversation. But does that this imply that the practicum student has to get a work permit in order to serve as a client support person, as other client support persons normally would.
- 13:56:37 So a client support person does not necessarily need to have a worker permit. But what this prohibits is it prohibits a practicum student from simultaneously acting as a practicum student and a client support person.
- 13:56:56 Lisa.
- 13:56:58 I had a longer statement on our previous call, but I just want to iterate that I disagree with this practicums are for practicing.
- 13:57:10 And site supervisors are for supervising the clients or the the students practicing, and I don't think that this addition makes any sense to our intention of training.
- 13:57:23 students to be facilitators. Thank you.
- 13:57:28 Thank you, Mariah.
- 13:57:32 We don't host practicums at. our service center, but I do... feel like this isn't really a service to either the facilitator in training or the client. Because if this facilitator in training is there witnessing through the preparation, is this person that's a part of this client's experience.
- 13:57:53 And maybe there's a rapport that's been built. They might feel.
- 13:58:00 like more inclined to maybe hold that person's hand, or feel a connection there, and then to just be this really, like, awkward fly on the wall that can't.
- 13:58:14 serve the client who's like requesting their support. I don't think that.
- 13:58:21 Each client has to use them as a client support person. Maybe some clients are like, absolutely not. I want the fly on the wall. But to have some flexibility there to where it's the client's decision, I think, would be more appropriate.
- 13:58:38 Thank you.
- 13:58:46 I'm watching the time here. And I I know we were going to go over to.

- 13:58:56 the. impact statement. I was about to use the acronym, but the acronym is very silly. So it is the statement of of.
- 13:59:08 fiscal and racial impact. I do want to note that we have some rules, some substantive rules that we have not got to, and specifically.
- 13:59:21 5,200. which covers music in a session.
- 13:59:28 So what I would propose for the group is that we go about 10 min over. We give 10 min to 5,200.
- 13:59:36 And then if we have additional time after we discuss the statement of need and fiscal impact.
- 13:59:44 Um, we come back and we cover the the remainder of the rules if we're able to do so.
- 13:59:52 So in 5200. And I'll give us a second just to catch up. In 5200, we have the administration session requirements.
- 14:00:05 Um, and there are a couple things happening in this rule.
- 14:00:10 Firstly, Section 3, which previously required a low dose plan, has been deleted now that we are shifting to total psilocybin equivalent for the lowest dosing tier.
- 14:00:23 The deleted text in 6 has been moved to 8.
- 14:00:28 and 7 covers musicians providing music or breath work.
- 14:00:34 8 states that the clients may decline music at any time which ensures that clients are able to direct their own experience.
- 14:00:42 The requirements related to violent words and images were pre-existing for recording images, excuse me, recorded music and those.
- 14:00:52 Those remain, and 9 states that if licensees reps are playing music. They do not count as the additional required rep on premises for backup.
- 14:01:05 So I would like to talk about this rule for the next 10 min.
- 14:01:11 and then take it back to the impact statement.
- 14:01:33 Amy.
- 14:01:34 I might need you to shift the page, but I think there's a couple of conflicts in here that I'm noticing. So I think it's seven that basically says, yes, live music is allowed as long as it's agreed on before the session, which makes sense. I'm excited for that.

- 14:01:52 But then in eight, I think I'm seeing that it may only be done when the client's request.
- 14:02:00 Uh, which is a different, uh, difference between it being, like, a mutual, um, discussion prior to, so there's just a slight conflict in there. The only reason why I call that out is because one of the points that, uh, was made way back when the public commenting sessions, uh, on this particular topic around music, um, was shared.
- 14:02:18 Uh, was that a lot of times there's indigenous ceremonies that are provided or facilitators who perform Indigenous ceremonies, and that is just something that the client, or sorry, that the facilitator typically offers, and that is agreed upon in advance, um, uh, and spoken about in advance, but the way that this reads in 8, it's saying that only if the client.
- 14:02:38 requests it, but they might not may not necessarily know that that's part of what the facilitator who's operating indigenously, as an example, um, does as part of their sessions and ceremonies. So even though.
- 14:02:49 the end all be all here is there's a mutual agreement. That's the the 2 sections are reading differently. I don't know if anyone else notices that, or if I'm crazy here.
- 14:03:04 Mercy.
- 14:03:05 Yeah, I agree. I think, um, changing that language instead of saying when requested to do so, um, changing it to, you know, when agreed upon prior, you know, something like that, that just indicates this was already an agreement before the session. So because I do read this as making it sound like in the moment they have to request it, and that would, I think, cause a problem.
- 14:03:28 Thank you. Josh.
- 14:03:31 I'm just wondering how this fits in when we're doing group... journeys, because someone may not want it.
- 14:03:40 But that doesn't override the other participants. who are in the room. So how... does there need to be any language around that to differentiate between an individual and group session?
- 14:03:57 Amy.
- 14:03:58 Um, I just want to speak to that before somebody makes a rule that we're all going to be upset about. How groups are done now is if

somebody gets, um, uh, you know, in the group setting, gets to a situation where they're wanting a break from the music, but everybody else wants it and is comfortable. There's typically enough facilitators there to allow that person to go into a different section, offer them noise-canceling headphones, etc.

- 14:04:20 We already have practical ways of managing those situations now, so I would hate for a rule to be introduced that we don't need when we're already navigating those situations professionally.
- 14:04:34 Thank you. Mariah.
- 14:04:38 Um, I agree with the wording on. Sorry, I have like a little bit of a speech delay, because I'm hearing myself here. It's a little distracting. So I'm going a little slow.
- 14:04:51 The... it would be helpful to change from... instead of requesting in the moment to instead similar to touch. I think that this could be handled very similarly to touch, where you agree in advance what you're open to, and then you're always welcome to rescind that consent.
- 14:05:08 in the moment. So you're like, Okay, change my mind. I'm hearing this music. It's really distracting. Please stop. But maybe in advance we had talked about it. We talked about what kind of music we talked about when it would be introduced, or maybe.
- 14:05:24 the agreement was made that they only wanted the sound if they requested it.
- 14:05:30 But maybe the agreement was, I welcome you to like be in flow, and if I find it disruptive, then I'll let you know. And so addressing it very similar to how we do with touch consent, I think on that consent form, like music could be integrated in there.
- 14:05:52 it. And just for context, you know that that was the intent. But we have.
- 14:05:58 highlighted some language issues here, which, um... I think could be worked on to make that intent a little more clear.
- 14:06:34 Hey, I'm going to give us a last call for this rule. And then, if we have no further comments on this rule, I would like to move us over to the impact statement.
- 14:06:47 Yeah, Mike, please go ahead.

- 14:06:49 Yeah, this is just a general comment. I I understand and appreciate how difficult your job is trying to translate statute into regulations, and.
- 14:07:01 And the responsibility to comply with law. But I think one thing that seems to be missing.
- 14:07:09 Is kind of an orientation and an attitude of being client focused, client-centered. The rules are not designed to be friendly to the client.
- 14:07:21 They're designed to comply with the law. And they're quite alienating, I think.
- 14:07:30 In many respects. Uh, so, you know, there's a balance between ensuring safety, ensuring accountability of facilitators and service centers. But I think... The balance has moved towards, you know, regulatory compliance and and and there's a really missing fundamental aspect of.
- 14:07:56 being client-centered and and looking at all of these regulations from the point of view of a client, and how a client is going to be interacting with those, and the system that is set up to enforce this. It's, um... I mean, for all the laudatory language about the program and and what it's trying to achieve.
- 14:08:22 It's not a warm and fuzzy, welcoming process for a client. It's quite, um... Um, intrusive... And, you know, I don't know how to strike that balance. You've got a difficult challenge here, but I think that it's worth always considering what does this mean from a client's point of view? How is the client going to be experiencing?
- 14:08:51 this, and and that is a really good check on on on how the language and the the specific regulations are are drafted. Thank you.
- 14:09:06 Thank you.
- 14:09:13 Okay, we have on the page. The statement of need and fiscal impact.
- 14:09:22 which is also a racial equity impact statement. I'm going to read some introductory remarks before we start our conversation, and then we'll go through section by section.
- 14:09:33 Part of the REC's purpose is to provide recommendations on the fiscal impact statement, including advice on mitigating the cost of

compliance for small businesses and to provide impact on the racial equity impact statement.

- 14:09:46 Including recommendations related to reducing the impact on affected communities.
- 14:09:52 for the racial equity impact statement. We consider which populations are affected or most harmed from a racial equity perspective. And it must be specific ways, specific communities are affected by the rules.
- 14:10:05 Estimating the cost of compliance is difficult because MCAP does not have information on licensees operational cost. Mcap encourages RAC members to share estimated cost of compliance for specific rule sections.
- 14:10:18 And if a rule amendment requires a change in operations, it is helpful to describe the specific impact on operational costs.
- 14:10:28 While many of the rules create a cost of compliance, other rules were intended to offer operational flexibilities to licensees and may reduce overall administrative burden.
- 14:10:37 Throughout the draft rules, MCAP has proposed changes to forms and application processes that increase efficiency for licensees, training programs, and the section.
- 14:10:47 In response to feedback from licensees, the proposed rules now allow for live music during client administration sessions with requirements in place to ensure client consent and mitigate risk to client safety.
- 14:10:58 The rules eliminate the requirement to schedule preparation sessions at least 24 hours in advance. This change allows flexibility to see walk-in clients.
- 14:11:08 Group session rules have been revised to streamline client facilitator ratios which could reduce staffing cost for group sessions, and I would note that we have not did not get to that rule in our review.
- 14:11:21 Where the proposed rules describe dose limits, the dosing tiers have been revised to end in whole numbers.
- 14:11:27 This makes packaging products simpler for manufacturers. Finally, the product requirements for the shortest administration sessions have been revised to use a value for total psilocybin equivalent as recommended by the March 2026 Potency Workgroup.

- 14:11:41 This change promotes client safety by ensuring products used in these sessions are not more potent than intended, and it also simplifies dosing decisions for clients and facilitators.
- 14:11:52 The RAC will review the sniffy and the and the sniffy is the silly acronym, a statement of need and fiscal impact. Snfi.
- 14:12:02 In the same manner that you review the rules, consensus is not required and the RACS feedback is advisory in nature. Discussion will be limited to the impact of the proposed rule changes rather than the impact of existing rules or statutory requirements.
- 14:12:18 Thank you for receiving that those introductory remarks. Now we're going to go section by section, and I'm not going to read the document word for word. I'll summarize each section, and then we'll open them up for discussion.
- 14:12:32 So this 1st section describes the need for the rules which implement 475A as well as House Bill 4040, which was passed in 2026.
- 14:12:45 OHA has adopted rules in each year from 2022 to 2025 that address all manner of operations and requirements.
- 14:12:54 These proposed 2026 rules supplement prior rules and make further refinements and address all aspects of implementation.
- 14:13:09 So I'm going to stop there with the summary. It describes some of the pieces that we've already covered, including implementation of House Bill 4040.
- 14:13:22 And I would ask if there's any... impact on this 1st section need, or excuse me, any feedback on this 1st section which describes the need for the rules.
- 14:13:38 Amy.
- 14:13:38 I just wanted to quickly ask the question regarding the total psilocybin equivalent situation. I'm just imagining that the service centers are going to have probably some product that isn't going to end up going to go to waste, which is going to financially impact them.
- 14:13:54 And that there should be some significant grace period for them to actually be able to use and sell that product first. Maybe they disclose how much product is outside of those terms or something, just some way that they're not going to be financially impacted, because this could be very harmful during the transition process if this is going to go into effect in just a couple months. They probably have.

- 14:14:13 Plenty of product in stock that they're going to end up having to toss, which is going to be financially impactful. So I just want to state that, uh, just in, uh, champion of the service centers to do right by them during the transition.
- 14:14:25 Thank you. And that is an issue that that section is aware of. Yeah.
- 14:14:31 So we will be looking at. with with all of our annual rulemakings.
- 14:14:40 We publish a letter to licensees when the rules are adopted, which highlight certain operational issues to be aware of.
- 14:14:49 And we will cover sell-through of products that were labeled under the previous.
- 14:14:56 Under the previous... rules in that letter. And we will give clearer indication to licensees. And I've also noted your comment as to.
- 14:15:08 considering a grace period for sell-through of products that were were tested and labeled under prior rules.
- 14:15:16 Sorry, I'm stumbling on my words for a little bit, but I've received your comment, and we've got it.
- 14:15:29 Mariah.
- 14:15:30 I just want to ask a clarifying question is for the doses.
- 14:15:44 Oops, did we? Lucy there, Maria?
- 14:15:53 on our product. I'm just curious.
- 14:15:56 Sorry, could you repeat yourself? I think we missed part of your comment there.
- 14:16:02 Okay, sorry, I'm at school pickup, so things are loud.
- 14:16:08 For the... the labeling of the microdoses or 5 milligram and less in TPE, is it just required that the TPE is listed on the label, or is it a more extensive labeling process like was previously discussed in the RAC over the summer?
- 14:16:25 to to summarize, we reviewed the label rules on Monday, and it is a simple requirement that it be listed on the label. But we did not get to the rule that.
- 14:16:37 implements this for duration of sessions. So I'll just describe that very briefly. For the lowest dose administration session, we're going to use a value of for TPE, which is 3.4 milligrams.

- 14:16:51 This replaces the prior value of 2.5 milligrams of psilocybin analyte. So TPE or total psilocybin equivalent, will be used to determine which products are eligible for that lowest dose and everything else in the system will continue to use, uh.
- 14:17:10 psilocybin analyte. Everything will be recorded in PTS using psilocybin analyte. So it's up to the facilitators and the service centers when they're seeing clients for that lowest dose administration session to check the label and ensure that the product contains 3.4.
- 14:17:29 Or less than 3.4 milligrams of total psilocybin equivalent.
- 14:17:36 Mariah.
- 14:17:37 Thank you for clarifying, and thank you for keeping it simple. Um, I appreciate it.
- 14:17:45 Thanks.
- 14:17:55 Right? Should we move to the racial equity impact statement?
- 14:17:59 Yeah, thank you. I will again summarize the first paragraph the proposed rules impact all license types permitted workers, training programs and clients.
- 14:18:11 MCAP supports the psilocybin Advisory Board, makes recommendations. We consider those recommendations and we go through various outreach to impacted communities, including this Rules Advisory committee.
- 14:18:26 Um, this first paragraph further describes our outreach with the intended dates for the public comment period.
- 14:18:33 As well as a description of the interpretation in.
- 14:18:39 captioning and other accessibility that we offer for these hearings.
- 14:18:44 And it finishes with a statement that MCAP's outreach helps to ensure that rules are informed by a wide range of perspectives, including underrepresented communities.
- 14:18:55 I'm going to go ahead and and summarize the next couple paragraphs, and then we'll stop for comments.
- 14:19:02 The next paragraph states that proposed rules may have both positive and negative equity impacts.

- 14:19:09 Throughout the process, we attempt to pro... craft rules that support equity and promote public safety without creating unnecessary costs that could lead to reduced access.
- 14:19:19 Some rule amendments are intended to provide flexibility. Other rule amendments may increase increased cost of compliance.
- 14:19:27 To the extent that increased cost of compliance are passed on.
- 14:19:30 This could have a greater impact on underserved communities.
- 14:19:35 And again, I'm paraphrasing and if access decreases as a result, clients may be more likely to seek out.
- 14:19:43 unregulated services. So I'd like to stop here and talk about these first three paragraphs.
- 14:19:51 before we move on to the subsequent paragraphs.
- 14:19:58 Mike.
- 14:20:03 Oh, you're on mute.
- 14:20:05 Sorry about that. I just wanted to comment about in the first paragraph, your reference to MCAP has engaged with impacted communities. I'm looking at the term impacted communities and then at the last sentence, the last line underrepresented communities.
- 14:20:22 And my question is, is, um... Have you engaged... Um, handicap community. Have you engaged?
- 14:20:34 Uh, the end of life community and the hospice communities. Have you engaged underrepresented groups, which would be people living in geographic areas that don't have practical, feasible access to psilocybin service centers?
- 14:20:51 Um, where I live, it's a 5-hour drive. We have all the population in Eastern Oregon who do not have access to psilocybin services, even though it is allowed by state law. We are an un... underrepresented group, I think, in this whole dialogue. I understand the statute provides provisions for local jurisdictions to prohibit service centers, but you have many citizens who have a right to access this through state law.
- 14:21:27 And their voices need to be heard, and there needs to be reasonable accommodations for how those citizens can access psilocybin services despite local ordinances.

- 14:21:44 And again, I think this is obviously a challenging issue with the statute, but you are discriminating against people who, based on their geography, whether intentionally or unintentionally, that's the effect. And you have.
- 14:22:02 thousands and thousands of people who may want to access this, but cannot practically do it, and they live in the state of Oregon, and they cannot access this in any kind of practical or feasible means, and they should not be held hostage to.
- 14:22:18 A majority of decision makers, elected decision makers. Everyone has a right to access services that are provided by the state, and this is discrimination against.
- 14:22:32 Um, folks, and it's obviously allowed by the statute, but it's very troubling, and, um, you know, I will bring it up in other forums, but, uh, and the other one I wanted to emphasize is, is folks, um.
- 14:22:48 Uh, that cannot access who are in an end-of-life situation. Um, there are, um, obviously, you're familiar with much of the research on the ability of psilocybin, the potential ability of psilocybin to ease end-of-life anxiety.
- 14:23:04 And, um, they are unable to access this because of the practicality and feasibility of always having to go to a service center that may be hours and hours away. It's just not... it's not feasible, and so those folks are disadvantaged, they're underrepresented.
- 14:23:20 And they're impacted. And I don't know how and to what extent you have reached out to them and received their input on all of this. Thank you.
- 14:23:30 Thank you. You know, as as we've stated previously, we are required to follow statute. But I've taken your comment that we may.
- 14:23:39 have an opportunity to provide some more detail on the types of outreach we've conducted.
- 14:24:11 And Jesse, did you want to read the ones program?
- 14:24:13 Yeah. So the the the next paragraph. I'm not going to repeat, because this was covered.
- 14:24:23 Probably mostly in my introduction. This large paragraph on the top of the page describes the rules which offer more flexibility to licensed businesses, and... Uh, to tie it together to accessibility and

racial impact. These changes could expand the options for psilocybin services, making them accessible to a broader range of clients.

- 14:24:49 And also on the client rights and responsibilities, these additions support inclusive spaces for clients seeking psilocybin services which has a positive impact on racial equity.
- 14:25:05 So again, this is a summary of. the positive impacts.
- 14:25:12 or what the section believes the positive impacts are on racial equity.
- 14:25:20 which we've achieved by offering more flexibility and in some places, and by, um.
- 14:25:27 clarifying client responsibilities in other places. And finally, there's a summary at the bottom. Many of the changes are technical in nature, while some may ease administrative burdens.
- 14:25:40 Others create new requirements which may increase the administrative burden.
- 14:25:44 So I'd like any comments on. These 2 paragraphs here at the top.
- 14:26:29 Marcy.
- 14:26:29 I'm not sure this is the appropriate time to ask this, but it just occurred to me because it mentions the, um, allowing facilitators who have done a training program, like in Colorado. Uh, I'm thinking about Colorado. Not everyone who's licensed in Colorado completed a.
- 14:26:45 like a training program, because they have, like, an accelerated pathway. Is there any discussion of allowing both? Where, like, if you completed a DORA approved training program or were previously licensed in Colorado, or is it training program specific like you had to go through a training program.
- 14:27:03 It is training program specific.
- 14:27:05 Okay, thanks.
- 14:27:24 Shall we move to fiscal and economic impact?
- 14:27:32 Yeah. Is the group ready to to move on?
- 14:27:37 Okay. So this concludes. We've moved now past the racial equity impact statement. And now we're on to the fiscal and economic impact statement.

- 14:27:49 And licensed businesses and State agencies will incur costs to comply with the proposed rule changes.
- 14:27:57 The overall cost cannot be quantified because OHA does not have access to regard regarding licensees operational cost.
- 14:28:07 The rules are necessary to implement 475A and 2026 legislation.
- 14:28:15 Less restrictive rules could carry a lower cost of compliance. However, they could also create higher risk of negative impacts to public health and safety.
- 14:28:24 The market is still relatively new and fluctuating, and we continue to license new license types, new licenses of every type.
- 14:28:33 However, some businesses, specifically service centers, have closed. Like all new businesses, psilocybin businesses incur significant startup and ongoing business costs.
- 14:28:46 And we like sufficient data to determine how much these costs will be influenced by rule requirements and how much cost will be affected by other factors, such as status under the Controlled Substances Act and challenges related to banking, insurance, rent, and tax issues.
- 14:29:02 existing issues that become licensed psilocybin businesses will also incur cost for additional equipment and modifications to their facilities.
- 14:29:14 This is the point where we would invite all of you to provide more information about the cost of these rules.
- 14:29:23 We, as it states in the draft, do not have that information about the specific impact to your operations.
- 14:29:32 So as we move throughout this section, there will be opportunities for you to provide that impact. And we would also like to hear any feedback that you may have on these 1st 2 paragraphs.
- 14:30:09 I have a quick open question for all the members, especially service center owners and licensed facilitators here.
- 14:30:16 Y'all have a lot of work on your hands already, so going rule by rule and figuring out what the estimated cost would obviously be potentially burdensome, but I think Jesse's giving us a welcomed invitation to do so. I'm kind of curious to hear from from licensees.

- 14:30:33 How hard would that be? What were the challenges be? Are there ways in which we might work together to provide that type of information? It does feel like an important opportunity to provide that. And maybe you already have some of it, right? It feels like.
- 14:30:48 Obviously, if you can voice it here and you have it, great, but also this may be an opportunity for the rack as an entire entity to pool that information together and submit it in writing. So it's on it's on the record. And.
- 14:31:03 It allows, hopefully, the OHA and. MCAP to actually assess that and maybe have a broader conversation, um, in more detail about the fiscal implement.
- 14:31:22 implications of these potential rules.
- 14:31:28 Thank you, Lisa.
- 14:31:31 I think that's a really good idea. I was sitting here wondering like, Oh, how do we quickly on the fly with very little time, like, answer this question? And I would be super happy to provide that from the facilitator standpoint and encourage others to do the same.
- 14:31:51 So procedurally, we're going to need to receive your recommendations in this meeting for the purpose of this impact statement.
- 14:31:59 However... Um, you will have another opportunity to provide input during the public comment period. So I just wanted to ground us on, you know, procedurally.
- 14:32:12 We're here today to get impact on this statement, which is filed with our rule, which will be filed with our rule filing on December the 1st.
- 14:32:21 Um, and then there'll be additional opportunities during the public comment period for further input.
- 14:32:32 And, you know, I would also invite the group.
- 14:32:36 to give us whatever you're able to give us during this meeting. You know, knowing that there will be an opportunity to provide more information at at a later time.
- 14:32:49 Gary.
- 14:32:50 Yeah, Sam, your question was about the fiscal impact on.

- 14:32:56 service centers, facilitators, and all that of some of these different rules, correct? None specifically, but in general, and what information we can provide, because, as Jesse said, it's hard for them to.
- 14:33:10 Um, quantify that without. being on our side.
- 14:33:23 Mm-hmm.
- 14:33:15 I think that's right. And, you know, and it's a subset of a much larger analysis that could be even more valuable, and this might actually be a good opportunity to kind of test this as a mechanism for that, because, you know, Jesse's... I think what Jesse's saying, and Jesse can jump in here and correct me, is that you know the fiscal impact specifically of these proposed rule changes, right? That's a very specific parameters that I think that would be is they're asking for. And then there's a much.
- 14:33:45 broader... that could actually be a test run for all the licensees, be like, okay, how do we get thinking about line by line fiscal impact of every rule as it relates to our business? And once people can actually get familiar in that type of mindset, that application can and arguably should be made.
- 14:34:02 to not only the entire rule set, but to statute as well for other purposes and other venues in which changes may be coming in the new year.
- 14:34:11 Yeah, and I applaud that question. I mean, I think all of us would like to see a more streamlined time and cost, which time is money cost effective.
- 14:34:25 process, um, you know, to avoid the risk of going out of scope and talking about a lot of different rules here that maybe we're not addressing today. Um, and off the top of my head, maybe not having some of that information.
- 14:34:40 But I think we'd all be more than happy to participate in that process and share the hours and time and data and money that some of these rules affect us.
- 14:34:55 And as you know, somebody said earlier, you know, I think a lot of the rules are made a little bit, you know, out of out of fear of straying out of statute, and we don't always take the client and.
- 14:35:11 Um, license holders into consideration in that, but I think we'd all be open to it, you know, Sb. 303 takes a lot of time and effort. You

know, there's several different things that I think we could streamline and.

- 14:35:26 And make it easier. Um, you know, especially when we're starting to talk about microdosing and holding clients to the same.
- 14:35:36 The rules, qualifications, paperwork, all of that. I applaud the 24-hour rule going away. I think that's great. We need to make more moves in that direction. So I think we'd all be happy to participate if that's your question, Sam.
- 14:35:55 Thank you, Marcy. Oh, yeah.
- 14:35:55 And just kind of keeping us in scope here. I yeah, I would like to clarify that that the scope here is.
- 14:36:04 the impact of the proposed changes in this rulemaking, and you know, to the extent that.
- 14:36:14 folks want to expand that scope. That's that's something that is probably best handled in a different forum.
- 14:36:22 So thank you for allowing me to jump in there and we'll move over to Marcy.
- 14:36:27 Yeah, I'm not a service center owner, but I think that one of the things we could include in here is that any limitation on temporary uses could have a negative impact, as it notes in this statement, many service centers have closed, and so they're looking for ways to diversify their revenue.
- 14:36:44 And while I appreciate that there are temporary use permissions, any restrictions on those are going to limit their options, having to wait for approval, that kind of thing. So maybe some sort of inclusion about limiting temporary uses. And could I go back up and say one more thing about the racial impact?
- 14:37:03 Yes.
- 14:37:02 Can I add something there? Would that be appropriate? Okay, so what I was talking about with the Colorado thing, the second type of option is to get what they call it a legacy healer license, where you don't have to go through the training program. That was intentionally designed for indigenous populations.
- 14:37:20 So by excluding that as an option for licensure in Oregon, we are directly excluding Indigenous workers who got a legacy healer license in Colorado and did not go through a DORA approved training

program. So I would like to note that, that it's potentially problematic in the race.

- 14:37:36 race category up there.
- 14:37:39 and we've received your comments, and you know, for the record we are the rules implement the statute, and the the statute was specific to training programs.
- 14:38:00 Okay, if we're satisfied with the general paragraphs, there's we move on to some specific questions that the forum asked us.
- 14:38:09 And the first is on the impact on state agencies, units of local government and the public.
- 14:38:17 Um, and yes, state agencies will incur some cost, and that cost is largely... the activity is largely required by statute.
- 14:38:27 The cost to local governments are unknown, but likely very small, if any.
- 14:38:33 And the public will incur costs to the extent that increased cost of compliance are passed on to members of the public who participate in.
- 14:38:43 psilocybin services. So do we have any comments on that section one?
- 14:39:13 Should we move on to cost of compliance on small businesses?
- 14:39:17 Yes. So for this section, I would like to pose a specific question to the rack.
- 14:39:26 And we're not going to vote on this or take motions, but it is a a prompt for discussion that I would like you to consider, and the.
- 14:39:36 The question is, do the proposed rule changes have a significant adverse impact on small businesses?
- 14:39:49 Gary.
- 14:39:51 Yes.
- 14:39:54 Okay.
- 14:39:58 Amy.
- 14:40:04 Lisa.
- 14:40:06 Yes, they do indeed.
- 14:40:11 Yes.

- 14:40:15 Thank you, Larry. And Gary, do you have another comment?
- 14:40:20 Great.
- 14:40:27 I saw Sam, you have your hand up. Did you have something to add?
- 14:40:31 I'll affirm that as well, yes.
- 14:40:34 Okay. And okay, I see a thumbs up. Gary, is that a residual hand, or do you have something?
- 14:40:42 No, I was waiting. I thought you called Larry's name first.
- 14:40:46 Okay.
- 14:40:48 but I did have something to add to that that.
- 14:40:54 and and at the risk of going out of scope. But since you're asking about the physical impact on not only state organizations, but small business.
- 14:41:05 you know, I I believe reducing a lot of these regulations would help the physical, the fiscal impact on both organizations, and.
- 14:41:17 small business, and I would also throw in that if we started talking about over-the-counter sales of microdose, low dose products and taxing it.
- 14:41:33 That the fiscal impact wouldn't even be a conversation. The budget deficit for OHA would go away. You would see more service centers opening rather than closing.
- 14:41:47 And this program would probably start. being profitable.
- 14:41:53 Okay, I'm going to reel us back in because we are out of scope.
- 14:41:59 But thank you. So because some rack members have indicated that there is a significant impact, we find ourselves subject to a statutory provision which requires the adopting agency.
- 14:42:18 To inquire and seek recommendations on options for reducing that impact to small businesses.
- 14:42:26 And this is spelled out in the statute, and I'm going to ask these questions exactly as they were written in the statute.
- 14:42:36 And... I'm going to ask for recommendations on reducing the impact.
- 14:42:42 To the extent... Um, that it is consistent with the health and safety purpose of the rule.

- 14:42:48 So we've got 5 factors. I'm going to go through those 5 factors. And I see, Sam, you have a question. Is this a clarifying process question?
- 14:42:57 Yes, yes it is. Is the statute specific as to whether or not it pertains only to the proposed rules, or in general to the program?
- 14:43:05 It is so let me provide the statute. It's ORS 183540. And it is the impact of the proposed rules.
- 14:43:17 Rather than the overall regulatory scheme. So the 1st question is whether their recommendations for establishing differing compliance or reporting requirements or timetables for small businesses.
- 14:43:34 And I would like to add, for context, a small business is a business with less than 50 employees.
- 14:43:40 And we estimate that many, if not all of licensees are small businesses.
- 14:44:10 Can you restate the question?
- 14:44:13 Yes, the question is, we are asking for recommendations on establishing differing compliance or reporting requirements or timetables for small businesses.
- 14:44:38 I don't know. Maybe I'm the only one I I'm not quite sure what you need to get after there.
- 14:44:41 You're not.
- 14:44:44 Well, so, you know, as I stated when I set the intro, I'm going to be reading exactly what's in the statute. And it may not be a clean fit.
- 14:44:57 for... for our system. So if there are no recommendations and the group has no recommendations.
- 14:45:06 you know, that is... that is an option. Um... But yeah, that's where we are.
- 14:45:13 Even if they're all out of scope.
- 14:45:16 Well, we want to keep in scope, and we want to keep it to the proposed rule changes.
- 14:45:27 Sam?
- 14:45:28 Um, another process question for you, Jesse. How is proposed rule defined? Is it defined as the entire subset of the rules, or only the rules that are being proposed to be changed?

- 14:45:43 Only the changes that are proposed.
- 14:45:49 Amy.
- 14:45:52 I just wanted to, um. I don't know how to frame this gently, lovingly push back, um, that I would hate to just gloss over this and just say we don't have opinions or feedback on it and move on, but more so, like, I think the question itself is really confusing. I don't get it. And I think there's probably others on this call from what I gather that just don't get it either. And so I think I would rather if we could get clarity on the definitions, the meaning, the scope, etc. So we can actually.
- 14:46:29 Thank you. And I'm also wondering if it would be helpful to.
- 14:46:38 read out the other questions Jesse altogether, so people can think about the different.
- 14:46:41 E. That would be very helpful. Yeah. And and.
- 14:46:45 He says.
- 14:46:48 you know, I understand that there's some context here that may be difficult to understand, and we may not be able to answer that, all of these questions. So.
- 14:47:03 I'm going to read all five of these factors now, and then we can maybe discuss them as group. The first one, which we just discussed, was recommendations for establishing different compliance or reporting requirements or timetables for small businesses.
- 14:47:19 Number two, recommendations for clarifying, consolidating, or simplifying the compliance and reporting requirements under the rule for small businesses.
- 14:47:29 Number 3, utilizing objective criteria for standards. Number 4, exempting small businesses from any or all requirements of the rule.
- 14:47:41 And number 5, otherwise establishing lessons intrusive or less costly alternatives applicable to small businesses.
- 14:47:53 Mercy.
- 14:47:54 It would be very helpful for me if I could see these on the screen. My memory is not good enough to, like, retain the specific vocabulary for each one.
- 14:48:05 Is that a possibility?
- 14:48:11 Jesse, are you in a document where you could copy and paste into the chat? Maybe.

- 14:48:14 Yeah.
- 14:48:18 Yes, the chat that is helpful. That's a good suggestion.
- 14:48:30 Oh, okay, give me a second. The formatting got weird in the chat.
- 14:48:34 Okay, while Jesse's doing that, Gary, did you have something?
- 14:48:40 Yeah, I mean, I think I'm starting to get the drift here of what we're trying to answer, and to somebody's maybe Marcy's comment earlier that you know we're or Amy, you know, I think we should maybe table this because I hate to miss the opportunity.
- 14:48:59 when it's being proposed as such a broad question.
- 14:49:05 Without specific components that we're talking about and. you know, trying to keep it within scope right? You know? I mean, Sb. 303 is is a huge one, you know, the time and effort and.
- 14:49:26 the timetables and the money we spend on that. I mean, I think we really need to look at reducing the questions on there. Reducing the overall paperwork, especially for low dose.
- 14:49:40 Um... you know, temporary use restrictions, subletting restrictions, advertising restrictions could probably go on and on, but I'm not sure what you're trying to get to here or what's in scope and out of scope.
- 14:49:59 But I think we could give you a long laundry list.
- 14:50:05 Thank you. And Jesse did paste the the 5.
- 14:50:12 points in the chat there.
- 14:50:17 Mercy.
- 14:50:20 I'm just wondering for the people who said, like, yes, it would have an impact, um, if there was, like, a specific thing you were thinking of, of how it would negatively impact your small business, that this would, I think, be the time to say what that would. Does it fit into one of those 5 categories?
- 14:50:42 Sam.
- 14:50:44 I'm gonna take a shot at it, um, we'll see what happens with that. But Gary was just talking about the.
- 14:50:51 Temporary use, which... was one of the things that we covered, and it looks like... Uh, that could be part of, um... intrusive or less costly

alternatives, so, like, or, um... exempting small businesses from those requirements.

- 14:51:13 If I'm applying that correctly.
- 14:51:17 Thank you, Amy.
- 14:51:19 I know, I would definitely need more time myself to, like, pull together every single angle of where this would impact my small business, as an example. But, like, another thing would be the freedom of speech restrictions. It would lose trust and faith in my clients as they're asking questions. If I was to have to just be silenced, I would probably lose business and lose clients as one factor.
- 14:51:43 The I could go on and on, but I want to become collected. And so if basically we lose our opportunity here on this call to submit public comment, because we haven't had the time and space to gather this analysis, um, I... it looks like my only other option is the public commenting sessions, but I do think that this.
- 14:52:00 Just for the record, I do want to state that we really need more time to think through this and to go through all of the angles that would impact our businesses, not just from the facilitator angle, but all of the other angles that exist. So I would appreciate the opportunity to submit additional.
- 14:52:15 feedback after we've had time to properly review and provide analysis.
- 14:52:42 I agree with needing more time, but since this is kind of an opportunity just to talk out loud about some of the potential impacts, um, this is from the training program perspective.
- 14:52:55 Um, additional costs on reporting and documentation. compliance related tracking, increasing reconfiguring all of that, whatever those things are, and.
- 14:53:12 uh, it just creates more time for small teams to execute that. Um... practicum costs.
- 14:53:23 restrictions on practicum locations and student participation could really increase operational expenses and limit available placements for students. Um... creates challenges for student affordability, increasing costs and travel requirements.
- 14:53:46 Um, that, you know, are definitely fall on the student, as well as on us as a... as a training program.

- 14:53:54 And, um... Yeah, there's probably a lot of other things, but trying to think about them all on the fly is is quite challenging. But there's a there's a few of the thoughts that come to mind.
- 14:54:07 Thanks.
- 14:54:09 Thank you.
- 14:54:22 Gary.
- 14:54:25 Yeah, number 4 and 5. I mean, we can apply that to a lot of rules. I mean, I would love to see us get exempted as small business from any or all requirements of several of the rules.
- 14:54:40 You know, otherwise establishing a less intrusive or less costly alternative applicable to small business, you know, again.
- 14:54:49 They're, you know, from, you know, the restrictions of who you have to have there and how many people and the reporting and, you know, SB 303 comes right to mind right there. The 30 some pages of paperwork you have to process comes right to mind there.
- 14:55:11 Yeah. I think this is a meeting and project all in its own that you know I I welcome. I love the question. Let's figure out how to make this program and model.
- 14:55:26 work. So, you know, the people that are in here and have been licensees and have been pushing this program for the last three years.
- 14:55:35 Can sustain and then we'll have more people coming in, and then you'll have more tax dollars and more license fees. So I applaud you for asking the question. I guess we just didn't know it was coming.
- 14:55:51 We're a little unprepared. Thank you.
- 14:55:57 Thanks, Sam.
- 14:55:59 Yeah, I guess just a a comment. I don't think this is, like, done nefarious or anything, but this would have been really nice to have at the top of the rack, because the way that I'm reading this is that this this applied to this can be applied to all of the rules, and we're all kind of feeling caught flat-footed a little bit, and would love to do it, but don't have enough time in.
- 14:56:22 This rack to do it. And so, um... Yeah, I guess I just wanted to to share that because this feels essential for the rack to understand how they can give the most valuable feedback on the proposed rules.
- 14:56:41 And it just feels really unfortunate that this was left.

- 14:56:45 towards the end of the second Rules Advisory Committee meeting.
- 14:56:50 I would like to provide a little more information on on the process, a little more context. This is a new process.
- 14:57:00 for the agency. It's something that does not come up very often. But it is a conditional requirement. So when a rules advisory committee indicates that there will be a significant impact on small businesses.
- 14:57:16 Then we are required to ask these questions. So we don't know.
- 14:57:22 If you're going to tell us that there's a significant impact on small businesses.
- 14:57:27 Until we ask you that question. And, you know, I understand, you know, we've heard from from several of you that, you know, you would like more time, and.
- 14:57:38 And I understand that. I'm just providing a little more information on the process and the context.
- 14:57:45 And in general, with all past rulemakings. We do the impact statements at the end, because the scope is around what we've discussed in terms of proposed changes. So it's not all rules, but.
- 14:58:00 What impact do the proposed changes have? And so it makes sense to have that come after we've actually looked at those proposed changes and discussed them.
- 14:58:09 So we are then expected to look at this and then go back through all the rules we've already discussed with the new lens. I don't I don't actually understand that logic.
- 14:58:19 not a new lens, but just at the end, after looking at all proposed rules.
- 14:58:26 How do they impact both in terms of the fiscal impact and the racial equity impact?
- 14:58:35 Right? And. I think, and I don't know, rack members like jump in if you feel otherwise. But the sense that I'm getting is that.
- 14:58:45 Um, this feels like a huge opportunity to, to be given this framework, which I think is appreciated, right? Like people, people really do support this framework and, and it makes sense and it feels tangible actually, maybe even more tangible, um, than before.

- 14:59:00 prior, but if with this new lens of questions applied to fiscal impact, like.
- 14:59:09 the idea that we'd be able to... No, like, without knowing those questions up front, I'm not sure how, like, with the hour that we have left, we would be expected to go back through all of the rules, and then apply it to those rules when we've already discussed it. Maybe I'm still confused there. I'm just really.
- 14:59:29 I'm trying to suss out the order of operations question, generally speaking.
- 14:59:41 you know, I don't know that we're going to have a satisfactory answer for you in this meeting, Sam, and I I know we're at time, but I would like to just give us a little of.
- 14:59:51 If there's any more comments. about these 5 factors, and and how they apply. I would like to give us an opportunity to receive those.
- 15:00:05 I mean, I think the quick answer is yes, every single one of these questions is affected every single rule is affecting.
- 15:00:14 These questions, um, and the only way to really do it is to go over them one at a time and ask these questions to each rule change.
- 15:00:22 And I think the bigger picture is just go over all of the rules and see if we can streamline them.
- 15:00:41 Thank you for your time and listening to us all and convening this.
- 15:00:47 Yeah. Okay, Amy, would you like to close it? Thank you, Gary. Amy, would you like to close us out?
- 15:00:53 Sure. I just have something that I think would be helpful. Like, even the camera rule that we were discussing earlier, that would... the number one here, establishing differing compliance or reporting requirements or timetables for small businesses, like the requirement, the insinuation that they would be fined or charged, or.
- 15:01:12 impacted negatively if their camera system went down. They need time and space to be able to address those issues and capture them and report them. That's just another example that I could think of, but I will do the due diligence myself of going through all the rules with these five things. I took a screenshot of them, and I will submit this not only in an email back to you guys, and um... In the public commenting session also, but just, again, stating for the record, I would

really deeply appreciate just a notion that I don't think either you guys or us on the rack would have anticipated that this question would come up, so it's no one's fault, but it would be great if we could get an opportunity as a RAC committee to go through these things.

- 15:01:50 Now that we do have these questions and submit it as part of RAC versus just a public commenting session, if we could, just so it's officially on record as part of RAC, um, that I would appreciate that. Again, no one's fault. I don't think any of us are upset that this, uh, this came to fruition, but, um, it would be a great if you could at least give us the opportunity or a time window before it goes to public comment for us to submit official feedback as RAC.
- 15:02:17 Thank you, Gary.
- 15:02:19 Yeah, I mean, I guess one of the overreaching things that I think could have one of the biggest effects on all of these questions is, you know, in cannabis, the first few years they took.
- 15:02:35 enforcement. from an educational standpoint, and they wanted to work with the licensees to help the licensees better understand the rules and to be compliant. That was went on for a couple of years, and then they said, Okay, now we're going to start enforcing and.
- 15:02:53 finding you. It seems that we didn't have an educational time period and process in.
- 15:03:02 adjusting to a lot of these, and it seems that, um, there's been a bit of a punitive go-to investigation and fine policy first. And we all got to work together.
- 15:03:16 And figure out how to make this work. And, um... not put the added burden of worrying about fines and the compliance.
- 15:03:28 Let's educate, work together. Thank you.
- 15:03:33 So to close the meeting, I I get to tell Gary that you're out of scope one more time.
- 15:03:40 So enforcement prioritization is not a subject of the rulemaking. But we appreciate everyone's time. We appreciate your patience and your commitment to this process.
- 15:03:57 The next step is public comment period from December 1st to 21st, and we invite everyone to submit their comments during that period. And thank you again for your time.

- 15:04:10 Thanks, everyone.
- 15:04:13 Thank you guys. And Jesse, you made my day. Thank you.